

Atlantic Richfield Company

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January 27, 2014

Mr. Steven Way
On-Scene Coordinator
Emergency Response Program (8EPR-SA)
US EPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

Delivered via e-mail

**Subject: Request to Delay Task B2 – Permanent Drying Facility Design
Rico-Argentine Mine Site – Rico Tunnels
Operable Unit OU01, Rico, Colorado**

Dear Mr. Way,

This letter requests that EPA modify the Work Plan Schedule for the Rico site. According to Paragraph 54 of the UAO:

Modifications to any plan or schedule (or the attached EPA Work Plan) may be made in writing by the OSC or at the OSC's oral direction. If the OSC makes an oral modification, it will be memorialized in writing within 5 days; provided, however, that the effective date of the modification shall be the date of the OSC's oral direction.

Atlantic Richfield requests that EPA extend the submittal date for the permanent drying facility design (Task B2) pending a decision on the final water treatment system for the site. The current Rico-Argentine Mine Site – Unilateral Administrative Order for Removal Action (UAO) Docket No. CERCLA-08-2011-0005 – Schedule Modification – June 2013, requires Task B2 - permanent drying facility design - be completed January 31, 2014. The Removal Action Work Plan states:

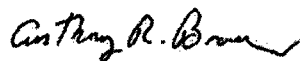
If the initial scoping of water treatment alternatives includes technologies that do not require solids disposal or would result in significantly different solids properties, the portions of this task related to solids generated by future water treatment may be postponed, modified, or deleted at the discretion of EPA.

Consistent with this statement, Atlantic Richfield requests that EPA modify the design schedule for the permanent drying facility to match the schedule for the final water treatment system (Task F4). Depending on whether a wetland treatment system, conventional lime precipitation system, or some combination of technologies is selected, the character and volume of generated solids and the methods required for managing the solids prior to placement in the repository may vary significantly. As a result, we believe it is premature to design the permanent drying facility before the treatment system selection decision is made. In the interim, the existing Interim Drying Facility can continue to be used as needed to condition existing solids on site that are to be disposed in the Phase I Solids Repository.

Atlantic Richfield will be responding to EPA's recently proposed schedule modifications (received January 22, 2013) shortly. However, we are asking for this approval now because the full set of schedule modifications may not be finalized before the January 31, 2014 deadline for the permanent drying facility design. We would expect that all of the revised submittal deadlines, including those under Task B2, will be memorialized in a comprehensive schedule modification issued in early February following discussions between EPA and Atlantic Richfield.

If you have any questions or comments, please feel free to contact me at (951) 265-4277 or via e-mail at Anthony.Brown@bp.com.

Sincerely,



Anthony R. Brown
Project Manager
Atlantic Richfield Company

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